

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
MIDLAND/ODESSA DIVISION

**PEAK FISHING SERVICES, LLC, FOR  
ITSELF AND AS FIDUCIARY OF THE  
PEAK FISHING SERVICES, LLC  
EMPLOYEE BENEFIT PLAN,**

*Plaintiff,*

v.  CIVIL ACTION NO. 7:20-cv-00211-DC

**ASSURED BENEFIT ADMINISTRATORS,  
INC., EMPLOYEE BENEFITS  
CONSULTING, LLC, THRELKELD  
BENEFIT PARTNERS, LLC.**

*Defendants.*

**CIVIL ACTION NO. 7:20-cv-00211-DC**

## PLAINTIFF'S DISCLOSURE OF EXPERT WITNESSES

COMES NOW Peak Fishing Services, LLC for Itself and as fiduciary of the Peak Fishing Services, LLC Employee Benefit Plan and files this Plaintiff's Disclosure of Expert Witnesses.

I.

## Expert Witnesses

Michael Griffin  
9303 Pinecroft Drive, Suite 280,  
The Woodlands, Texas 77380  
713-828-2233

Mr. Griffin is a retained expert and the subject matter of his testimony will be contained in his report.

Scott E Arnim  
1900 West Loop South, #1600  
Houston, TX 77027

Mr. Arnim is a non-retained expert who may testify as to the duties of a broker in providing advice to employers in connection with employer sponsored benefit plans as well as the

responsibilities of third party administrators in who administer employee health benefit plans under contract with the plan and/or the plan sponsor.

**II.**

**Cross-Designation of Expert Witnesses**

Plaintiff hereby cross-designates and states that they may call any expert witnesses identified or designated by an adverse party or any employee or representative of an adverse party, subject to any objections Plaintiff may make concerning the designation of those expert witnesses.

**III.**

**Cross Examination**

Plaintiff reserves the right to elicit, by way of cross-examination, opinion testimony from experts designated and called by other parties to the suit. Plaintiff may also call, as witness associated with other parties, any expert witness of any party who may be added to this lawsuit.

**IV.**

**Right to Withdraw Designation of Any Expert Witness**

Plaintiff reserves the right to withdraw designation of any expert witness and to aver positively that any such previously designated expert witness will not be called as a witness to trial and to re-designate same as a consulting expert, who cannot be called by opposing counsel.

**V.**

**Right to Elicit Any Expert Opinion or Lay Opinion Testimony**

Plaintiff reserves the right to elicit any expert opinion or lay opinion testimony at the time of trial which would be truthful which would be of benefit to the jury to determine material issues of fact, which would not be violative of any existing Court order or the Federal Rules of Civil Procedure.

**VI.**

**Designation of Adverse Parties**

Plaintiff hereby designates, as adverse parties, potentially adverse parties, and or witnesses associated with adverse parties, all parties to this suit and all experts designated by any party to this suit, even if the designating party is not a party to the suit at the time of trial. In the event that present or future parties designate an expert, but is subsequently dismissed for any reason from the suit or fails to call any designated expert, Plaintiff reserve the right to designate and/or call any such party or any such experts previously designated by any party.

**VII.**

**Reservation of Additional Rights**

Plaintiff reserves whatever additional rights they may have with regard to experts, pursuant to the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the case law construing same, and the rulings of the Court.

**VIII.**

**Reservation of Right to Supplement Designation**

Plaintiff reserves the right to supplement this designation with additional designations of experts within any time limits imposed by the Court or any alterations of same by subsequent Court order or agreement of the parties or pursuant to the Federal Rules of Civil Procedure and/or the Federal Rules of Evidence.

[Signature block on following page]

Respectfully submitted,

/s/ Michael Barnhart  
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**CERTIFICATE OF SERVICE**

I certify that on October 20, a true and correct copy of the foregoing document was served on all counsel of record via the Court's Electronic Case Filing system:

/s/ Michael K. Barnhart  
Michael K. Barnhart